

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS

CIVIL CASE NO. 3:15: CV-126-DCG

BEATRIZ HUML, ON BEHALF OF THE UNITED STATES OF AMERICA,

PLAINTIFF/ RELATOR

FILED UNDER SEAL

JURY TRIAL DEMANDED

V.

THE STATE OF TEXAS IN ITS CAPACITY AS A MEMBER OF THE JOINT  
STATE-FEDERAL MORTGAGE SETTLEMENT TASK FORCE

DEFENDANT

QUI TAM COMPLAINT

**RELATOR'S MOTION FOR ENTRY OF DEFAULT JUDGEMENT**

*"We cannot have a just society that applies the principle of accountability only to the powerless and the principle of forgiveness to the powerful."*

— Christopher Hayes, *Twilight of the Elites: America after Meritocracy*

Comes now Relator BEATRIZ HUML who files this "Motion for Entry of a Default Judgement" pursuant to Rules 55 of the Federal Rules of Civil Procedure. Relator Huml prays this court will consider the following.

I.

The following transaction was entered with the Clerk for the U.S. District Court, Western District of Texas on 11/24/2015 at 6:31 PM CST and filed on 11/24/2015:

"Summons Return Executed by Beatriz Huml. State of Texas served on 7/23/2015, **answer due 8/13/2015.**"

To date, no answer had been filed by the State of Texas. (See note "1")

II.

This motion is also filed in compliance with Local Rule CV-55: "FAILURE TO OBTAIN DEFAULT JUDGMENT: If a defendant is in default, the court may require the plaintiff to move for entry of a default and a default judgment. If the plaintiff fails to do so within the prescribed time, the court may dismiss the action, without prejudice, as to the defendant"

III.

**PRAYER**

Relator Huml prays this court enter a default judgement against the defendant The State of Texas for the stated relief and any other appropriate relief.

Respectfully Submitted,

*/s/ Richard A. Roman*  
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1. "Advisory Committee on Rules".  
Committee Notes on Rules-2009 Amendment

The time set in the former rule at 3 days has been revised to 7 days. See the Note to Rule 6. Committee Notes on Rules-2015 Amendment

Rule 55(c) is amended to make plain the interplay between Rules 54(b), 55(c), and 60(b). A default judgment that does not dispose of all of the claims among all parties is not a final judgment unless the court directs entry of final judgment under Rule 54(b). Until final judgment is entered, Rule 54(b) allows revision of the default judgment at any time. The demanding standards set by Rule 60(b) apply only in seeking relief from a final judgment.

**CERTIFICATE OF SERVICE**

I hereby certify that on December 1, 2015 a true and correct copy of the foregoing "Motion for Entry of Default" has been forwarded to the attention of Office of the Attorney General of the United States, The United States Department of Justice, The United States Attorney for the Western District of Texas ([askdoj@usdoj.com](mailto:askdoj@usdoj.com)); [john.locurto@usdoj.gov](mailto:john.locurto@usdoj.gov), [jean.smith-harnden@usdoj.gov](mailto:jean.smith-harnden@usdoj.gov), [usatxw.ecfsacivil@usdoj.gov](mailto:usatxw.ecfsacivil@usdoj.gov) and via the CM/ ECF electronic filing system, and the Texas Attorney General's Office at [edward.marshall@texasattorneygeneral.gov](mailto:edward.marshall@texasattorneygeneral.gov), [laura.haney@texasattorneygeneral.gov](mailto:laura.haney@texasattorneygeneral.gov) via electronic filing.

/s/ Richard A. Roman, Esq.